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AUG 16 2005

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: R. Porubcan


Serial No. 10/743,402
Confirmation No. 7174
Filed: 12/22/2003

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) Group Art Unit: 1645

)
) Examiner: Lakia J. Tongue

For: FORMULATIONS TO INCREASE
in vivo SURVIVAL OF PROBIOTIC
BACTERIA AND EXTEND THEIR
SHELF-LIFE

) I hereby certify that, on the date indicated below, this
correspondence was sent by fax to the Commissioner for
Patents, at (703) 872-9306.

) By: 

Date: 8/16/05

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Response and Amendment

Dear Sir:

In response to the Office Action of 6/1/2005, please amend the specification as below, and amend the claims as in the attached claim listing and reconsider the rejections in view of the following remarks.

In the Specification

Please insert the following paragraph (with the correction) as a substitute for the last paragraph on page 10 (through to the first full paragraph on page 11):

In addition to probiotics, sodium alginate and inert carriers, grape skin extract powder can be added to the formulations. Grape skin extract contains bioflavonoid antioxidants (anthocyanins) which protect probiotic bacteria from oxidation and further improve their shelf-life. Formulations used in the examples of the present invention contain 5% grape skin extract (AC 12z WSP Grape Skin Extract Powder, Chr. Hansen, Inc. West Allis, WI). During the research that lead to the present invention it was discovered that grape skin extract exhibits another effect that has commercial value. Grape skin extract serves as a unique, natural, pH indicator when used at 1-10% of the formulation weight and produces